

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

CIVIL ACTION NO. 2005-10667GAO

JUDITH FESTA and *
ALFRED FESTA *
v. *
*
SIMON PROPERTY GROUP, INC. *

JOINT STATEMENT

PROPOSED DISCOVERY PLAN

1. All interrogatories and Rule 34 requests shall be served on or before July 31, 2005 and complied with on or before September 30, 2005.
2. All depositions (except *de bene esse*) shall be concluded on or before December 31, 2005.
3. Joinder of additional parties shall be brought on or before January 31, 2005.
4. Any motion pursuant to Fed. R. Civ. P. 56 shall be filed on or before March 10, 2006.

Counsel hereby certify that they have conferred with the parties relative to the use of alternative dispute resolution and the parties are amenable to said resolution.

Dated: May 31, 2005

The Plaintiffs,
Judith Festa and Alfred Festa,
By their attorney,
Joseph G. Abromovitz, P.C.

The Defendant,
Simon Property Group.
By their attorney,
Morrison Mahoney, LLP

s/Joseph G. Abromovitz

Joseph G. Abromovitz
858 Washington Street, 3rd Fl.
Dedham, MA 02026
Phone: (781) 329-1080

s/Sean J. Milano

Sean J. Milano
250 Summer Street
Boston, MA
Phone: (617) 439-7500